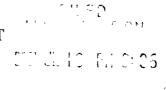
UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS AUSTIN DIVISION



ONE TREASURE LIMITED, INC.,	§	0.3.0	
Plaintiff	8	AO4CA449	SS
V.	§ §	Civil Action No Jury	
WILLIAM W. RICHARDSON, a/k/a WILL RICHARDSON, d/b/a WWW.FINE-ART-MAPS.COM	§ §		
Defendant	§		

PLAINTIFF'S ORIGINAL COMPLAINT

COMES NOW PLAINTIFF, One Treasure Limited, Inc. ("One Treasure Limited"), and files this its Original Complaint, complaining of DEFENDANT, William W. Richardson, a/k/a Will Richardson, d/b/a "www.fine-art-maps.com," and in support thereof would show as follows:

I. PARTIES

- 1. Plaintiff is a domestic corporation doing business in this state with its principal headquarters in Austin, Travis County, Texas.
- 2. Defendant is an individual residing in Travis County, Texas, and may be served with process at any of the following addresses: 7206 Silvermine Dr, Austin, Texas 78736, or 12407 North Mopac, Building 100, #186, Austin, Texas 78758.

II. JURISDICTION & VENUE

- 3. This action arises under the Copyright Act of 1976, Title 17, United States Code. Subject matter jurisdiction is founded on Title 28, United States Code § 1338(a).
- 4. This Court has jurisdiction over the Defendant in that he resides and does business in this State. Specifically, the actions set forth below were directed by Defendant while

located in Travis County, Texas.

5. For the same reasons justifying jurisdiction in this State, venue is conferred in this judicial district by Title 28, United States Code, Section 1400(a).

III. FACTS COMMON TO ALL CAUSES OF ACTION

- 6. Plaintiff is engaged in the business of creating, producing, and marketing antiquestyle maps of the Caribbean islands, Texas, Alaska, the United States, and parts of Europe.

 These maps are sold as large printed copies of their respective originals, post cards, and in other mediums.
- 7. Plaintiff is the owner of the copyrights to certain maps germane to this suit, entitled as follows: "Belize," "Caribbean," "Bahamas," "Virgin Islands," "Cuba," and "Cozumel," ("Registered Maps"); as well as "Ambergris Cay," "Grand Cayman," "Jamaica," "Puerto Rico," and "Quintana Roo" ("Pending Registration Maps") (collectively "Maps"). Copies of the Maps are attached as Exhibit A. All of the Maps are copyrightable works under the federal Copyright Act of 1976, Title 17, United States Code. The Registered Maps are registered with the United States Copyright Office, as follows:

Registration No.	Registration Date
VA 1-171-196	January 29, 2002
VA 1-146-553	May 1, 2002
VA 1-128-087	January 29, 2002
VA 1-128-088	January 29, 2002
VA 1-128-089	January 29, 2002
VA 1-146-551	May 1, 2002
	VA 1-171-196 VA 1-146-553 VA 1-128-087 VA 1-128-088 VA 1-128-089

Copies of the copyright registrations are attached hereto as Exhibit C.

- 8. In regard to the Pending Registration Maps, Plaintiff has complied with the statutory formalities for registration of the maps for a copyright with the United States Copyright Office. Specifically, on or about July 13, 2004, Plaintiff transmitted to the United States Copyright Office, by certified mail service of the United States Postal Service, the required registration application, fee, and deposit material for each map not yet registered.
- 9. Plaintiff is the owner of the entire right, title, and interest in all of the Maps, and the copyrights thereon.
- 10. Defendant is in the business of distributing antique style maps, primarily of various countries in the Caribbean region. Defendant maintains a website promoting and distributing his maps at "www.fine-art-maps.com." Without the consent of Plaintiff, and in complete disregard of Plaintiff's rights, Defendant has infringed and is infringing Plaintiff's aforementioned rights in the Maps. Specifically, Defendant has reproduced the Maps and sold them to customers in person and through his website. Copies of the infringing maps as printed from Defendant's website are attached as Exhibit B.

IV. CAUSES OF ACTION

11. Defendant's use and sale of the Maps constitutes an infringing act or series of actions as defined and as actionable under the federal Copyright Act of 1976, Title 17, United States Code. Defendant's activities also constitute unfair competition with Plaintiff.

A) DAMAGES

a. Damages Under 17 U.S.C.A. § 504(b).

12. Plaintiff has been damaged by the infringing acts and unfair competition of Defendant as measured by the fair market license fee for the Maps when the uses of same are

unauthorized by the copyright owner. Plaintiff is further entitled to any profits made by Defendants from its infringing acts. Both measures of damages are prescribed by 17 United States Code Annotated, Section 504(b).

b. Damages Under 17 U.S.C.A. §504(c).

- 13. For the Registered Maps, Plaintiff is entitled to the statutory damages set forth in 17 United States Code, Section 504(c), as an alternative to the actual damages and profit resulting from Defendants use and sale of same. Specifically, Plaintiff is entitled to a minimum of \$750.00 and a maximum of \$30,000.00 for each of the six Registered Maps that were infringed.
- 14. In addition, Defendant's infringement of the Registered Maps was willful in that he had actual knowledge of the infringements, or acted in reckless disregard of the possibility that his sale of the Registered Maps would infringe Plaintiff's copyrights. Specifically, Defendant was socially acquainted with Plaintiff's sole shareholder and officer, Victor Baker, prior to the infringements, and was knowledgeable of the nature of Plaintiff's business of selling the Maps. For said willful infringement, Plaintiff is entitled to \$150,000.00 for each of the six Registered Maps that was infringed.

B) ATTORNEYS' FEES

15. For the Registered Maps, Plaintiff is entitled to recovery of its costs and attorneys' fees reasonably incurred in pursuit of this action as set forth by 17 United States Code Annotated §505.

V. JURY DEMAND

16. Plaintiff demands trial by jury as to this action.

PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that Defendant be cited to appear and answer herein, and that upon final trial, Plaintiff have the following:

- a) Such damages as Plaintiff has sustained in consequence of Defendant's infringement of Plaintiff's copyright, Defendant's unfair trade practices and unfair competition, and an accounting for all gains, profits, and advantages derived by Defendant through such infringement, trade practices, and unfair competition;
- b) In the alternative, for the Registered Maps, Plaintiff seeks statutory damages as set forth by 17 U.S.C.A. §504(c), as well as an increase is said award for Defendant's willful infringement of same;
- c) Attorneys' fees and costs reasonably incurred as provided by 17 U.S.C.A. §505; and,
- d) such other and further relief to which Plaintiff may be justly entitled.

Respectfully submitted,

BLAZIER, CHRISTENSEN, BIGELOW & VIRR, P.C.

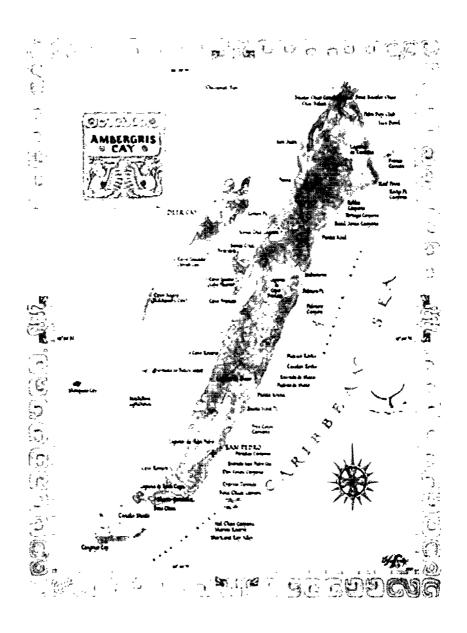
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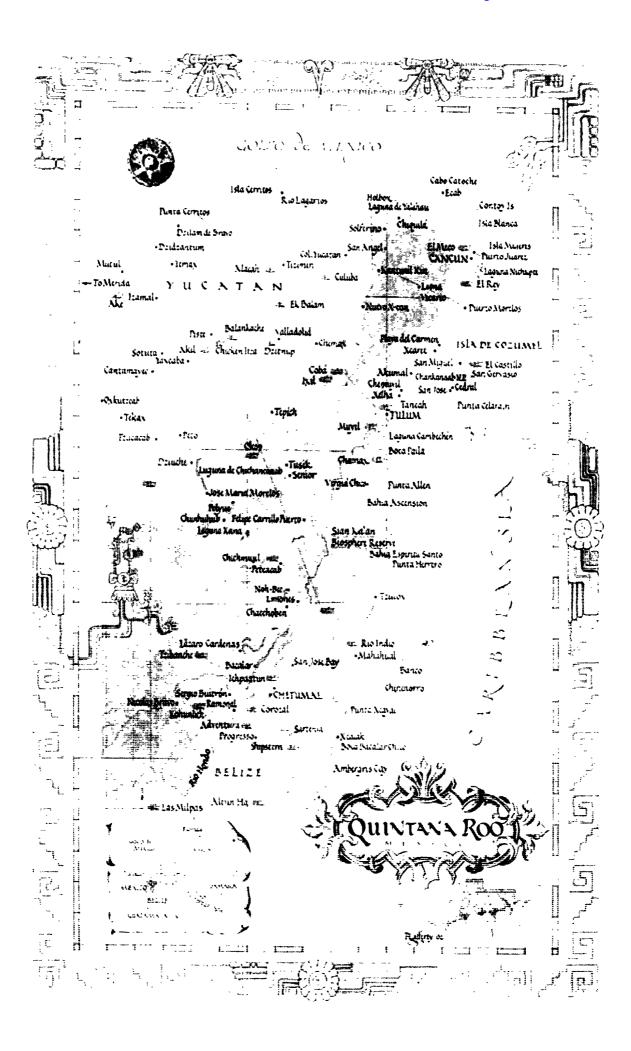
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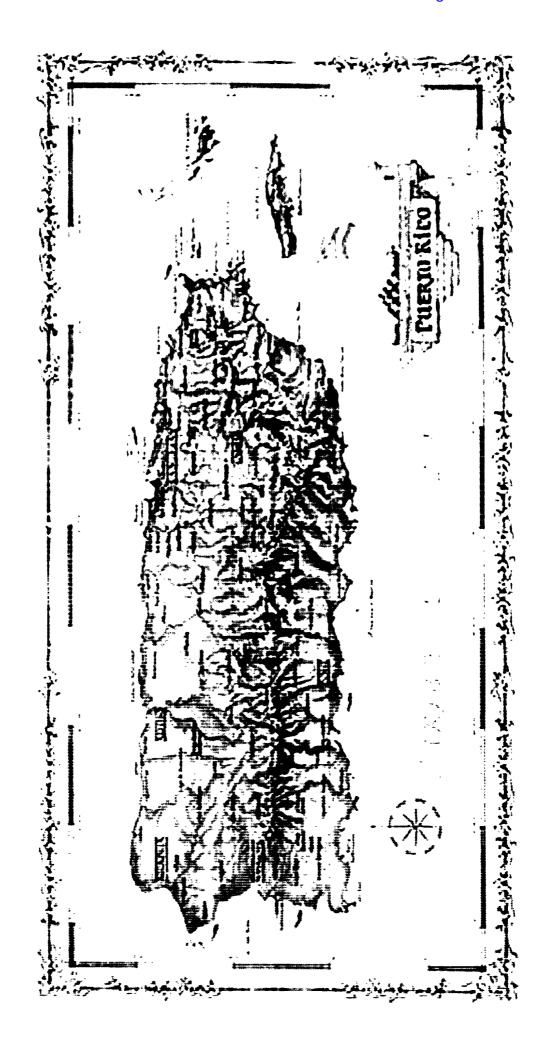
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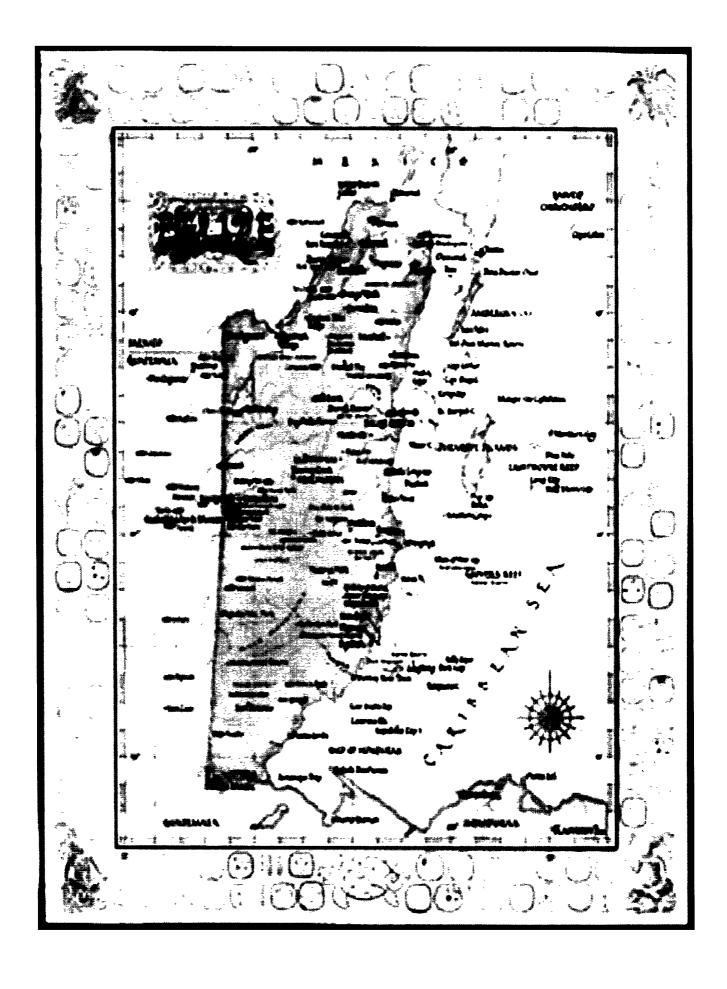
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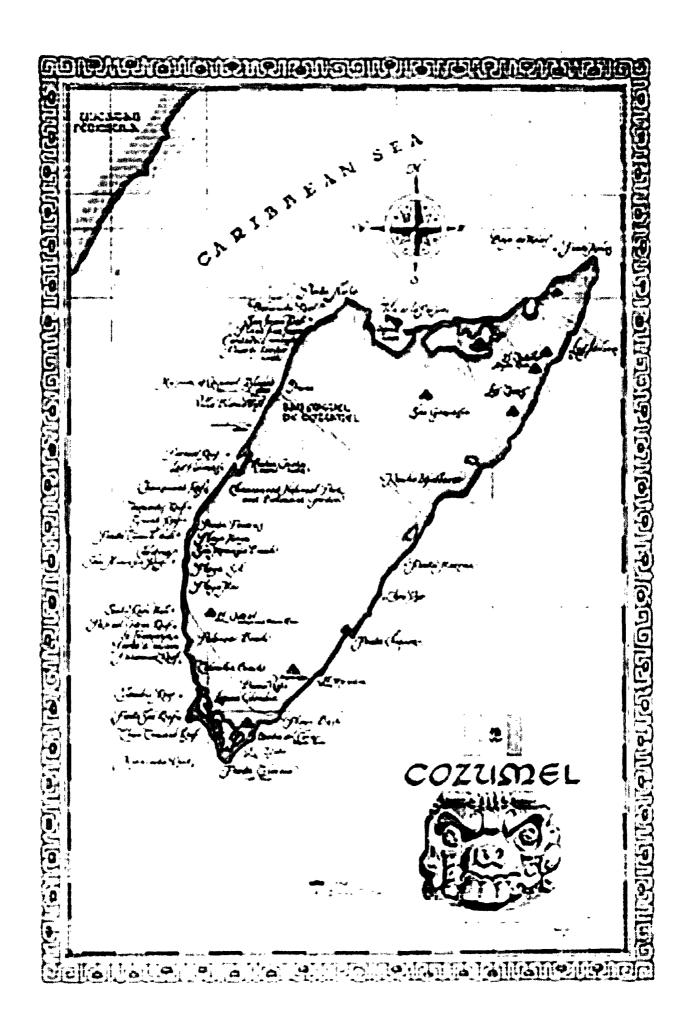


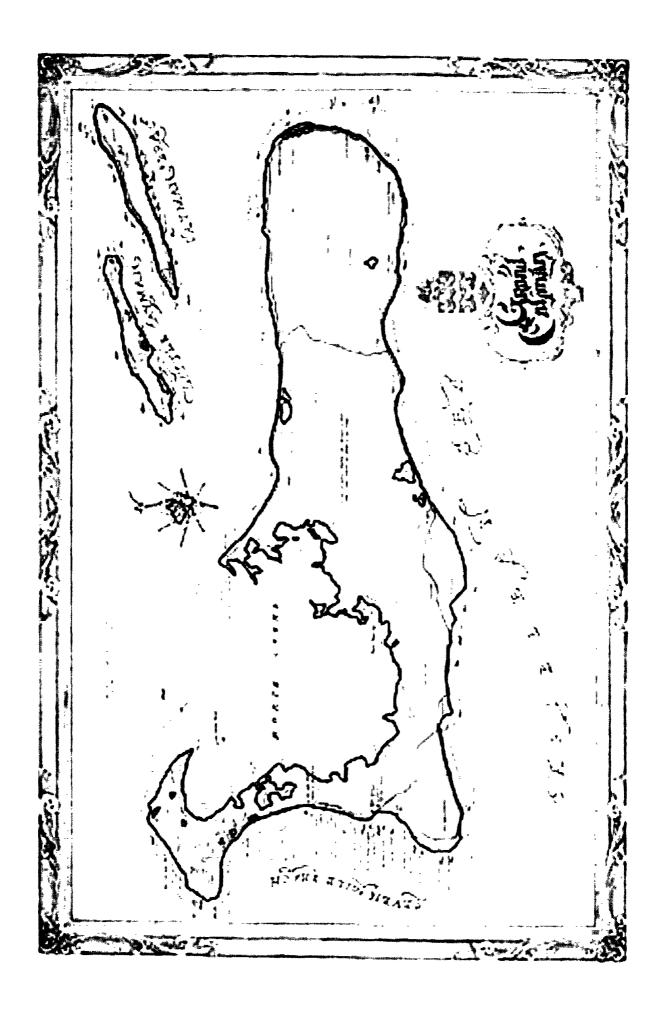




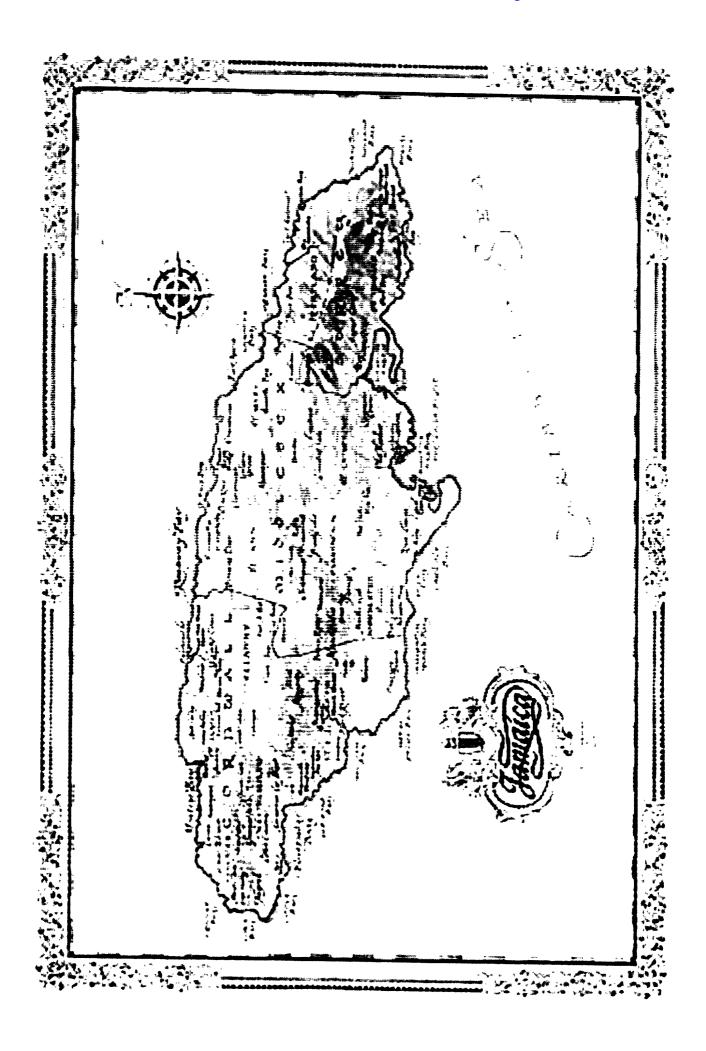


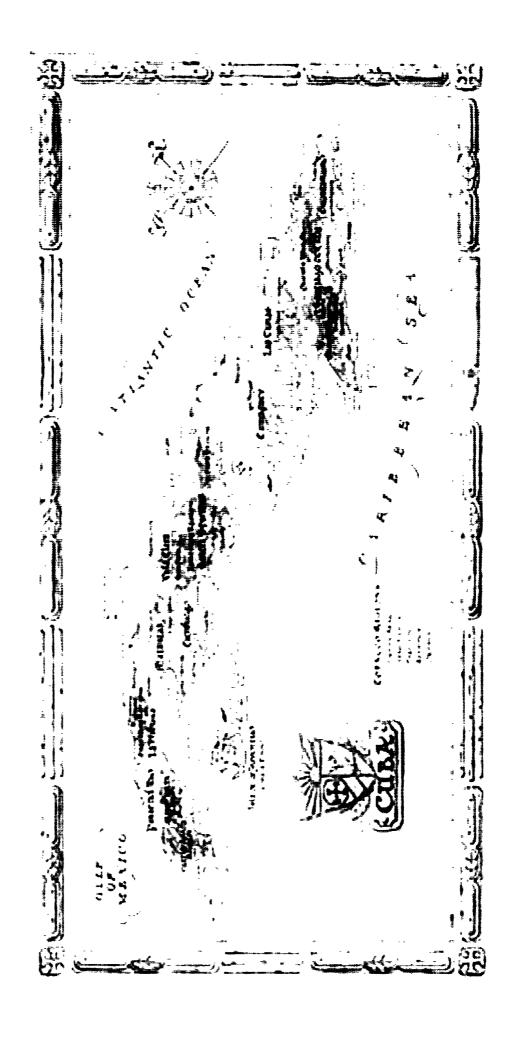


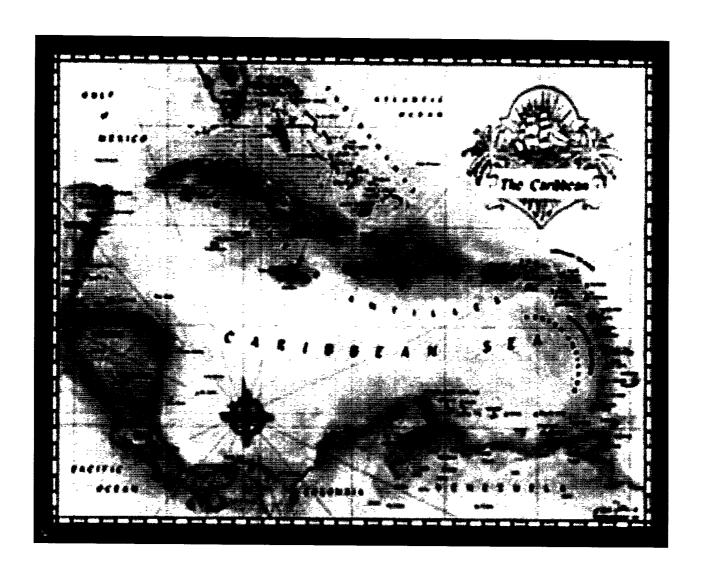












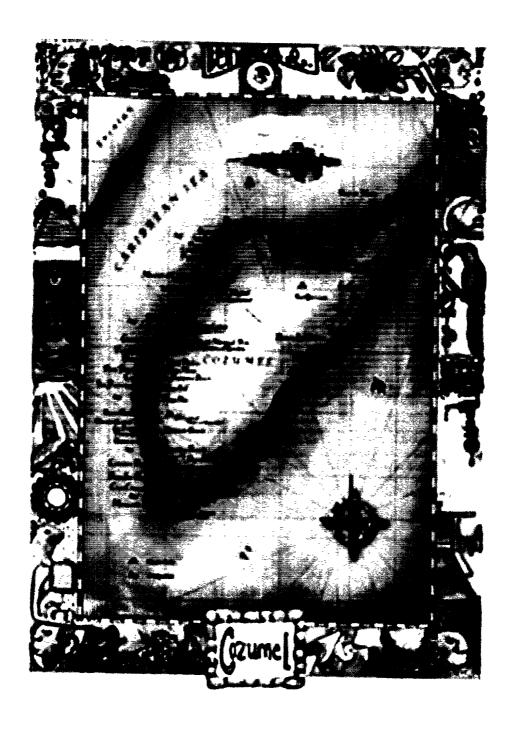


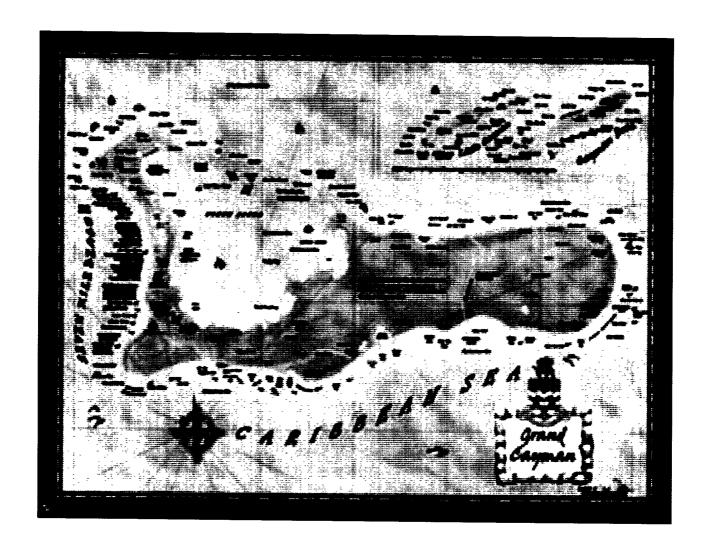


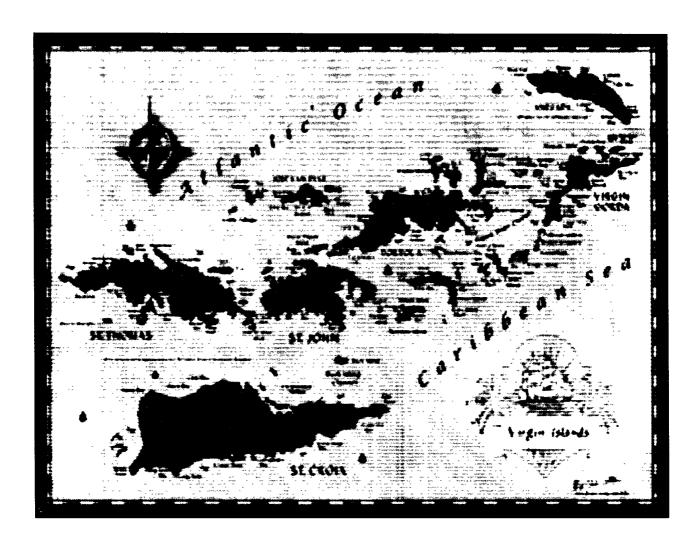














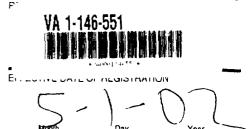
CERTIFICATE OF REGISTRATION Document 1 Filed 07/13/04 PLAN OF THE VISUAL Arts

JITED STATES COPYRIGHT OFFICE





This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.



Marybeth Peters

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Marsbeth Peters

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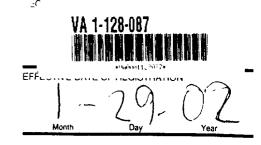
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